

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-8, 13-14 and 16-17, drawn to creating an initial email.

Group II, claim(s) 9-11 and 15-17, drawn to modifying and forwarding an email.

2. In the case that the applicant elects Group I, claims 1-8, 13-14 and 16-17, this application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Species I (claims 1-3, 13, and 16-17): creating an initial email by recognizing a type of character code in the input image to be used in the email;

Species II (claims 4-8, 14, and 16-17): creating an initial email by assigning a type of language to be used in the email.

No generic claims are identified.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An

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argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: creating an initial email by recognizing a type of character code in the input image to be used in the email; and creating an initial email by assigning a type of language to be used in the email, lacks the same special technical features because the first method relies on **recognizing** the type of code in the input image while the other method relies on the input means to **assign** a type of language, irrespective what type of language is contained in the text information.

3. A telephone call was made to Edward A Kmett (Reg. 42746) on 3/18/2010 to request an oral election to the above restriction requirement, but did not result in an election being made.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUA FAN whose telephone number is (571)270-5311. The examiner can normally be reached on M-F 9am-6pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rupal D. Dharia/  
Supervisory Patent Examiner, Art Unit  
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/H. F./  
Examiner, Art Unit 2456